

03-14-05

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/734,692	12/11/2003	Philip Stashenko	25669-003



Mintz, Levin, Cohn, Ferris,
 Glovsky and Popeo, P.C.
 One Financial Center
 Boston, MA 02111

CONFIRMATION NO. 4324
 FORMALITIES LETTER



OC000000013505836

Date Mailed: 08/11/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/15/2005 MBERHE 00000088 10734692

FILED UNDER 37 CFR 1.53(b)

01 FC:2051

65.00 0P

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 9B,10D,11C&11D,15A&15E.
 - More than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.) (see 37 CFR 1.84(u)(1)). See Figure(s) 10,11,12,13,14.
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after

September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65 Late oath or declaration Surcharge.**

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

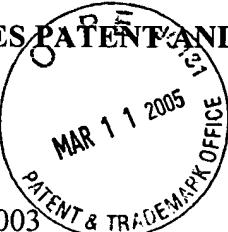
*A copy of this notice **MUST** be returned with the reply.*

Y. G.
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Stashenko, et al.
SERIAL NUMBER : 10/734,692
FILING DATE : December 11, 2003
FOR : EXPRESSED GENES THAT DEFINE THE OSTEOCLAST PHENOTYPE



EXAMINER : Not Yet Assigned
ART UNIT : 1614

March 11, 2005
Boston, Massachusetts

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in the present application are the following documents:

1. Copy of Notice to File Missing Parts of Nonprovisional Application (2 pgs.);
2. Response to Notice to File Missing Parts (1 pg.);
3. Check No. 20213 in the amount of \$65.00 to cover Missing Parts fee;
4. Petition for Extension of Time (1 pg.);
5. Check No. 20212 in the amount of \$1,080.00 to cover Extension fee;
6. Combined Declaration and Power of Attorney for Patent Application, (3 pgs.);
7. Preliminary Amendment (4 pgs.);
8. Paper Copy of the Sequence Listing (32 pgs.);
9. Computer Readable Form Copy of Sequence Listing (1 disk);
10. Statement in Support of Computer Readable Form Submission (1 pg.);
11. Substitute Drawings (Figs. 1A1-15H) (30 pgs.); and
12. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts.

Applicant: Stashenko, et al.
U.S.S.N.: 10/734,692

Please charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 25669-003. A duplicate copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Ingrid A. Beattie Reg. No 53097
Ingrid A. Beattie, Reg. No. 42,306

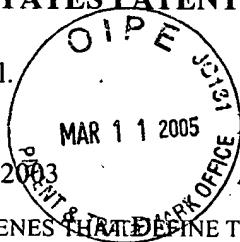
Attorney for Applicants
c/o MINTZ, LEVIN
Tel: (617) 542-6000
Fax: (617) 542-2241

Customer No. 30623

TRA 2015860v1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Stashenko et al.
SERIAL NUMBER: 10/734,692 EXAMINER: Not Yet Assigned
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Mail Stop MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

March 11, 2005
Boston, Massachusetts

RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to the Notice To File Missing Parts of Nonprovisional Application mailed August 11, 2004 in the above-identified application, Applicants submit herein an executed Combined Declaration and Power of Attorney form (3 pages), payment of the surcharge of \$65.00 (Check No. 20213) as set forth in 37 C.F.R. §1.16(e), a copy of the Notice to File Missing Parts of Nonprovisional Application, a Petition for a Five-Month Extension of Time, a check in the amount of \$1080.00 (Check No. 20212) to cover the Petition fee, a Preliminary Amendment, Substitute Drawings (Figures 1A1 - 15H, 30 pages) in compliance with 37 C.F.R. §§ 1.84 and 1.121, a Statement of Support of Computer Readable Form Submission, and initial electronic and paper copies of the Sequence Listing. This application is entitled to small entity status.

With a five-month extension, this response is due on or before March 11, 2005. Applicants believe no additional fees are due in connection with this filing. However, the Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 25669-003.

Respectfully submitted,

Ingrid A. Beattie, Reg. No. 42,306
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